

U.S. Patent Appln. No. 09/933,284
Amendment Dated Dec. 27, 2005
Reply to Office Action of Sep. 28, 2005
Docket No. BOC9-2001-0004 (239)

REMARKS/ARGUMENTS

These remarks are submitted responsive to the office action dated September 28, 2005 (Office Action). As this response is timely filed before the expiration of the 3-month shortened statutory period, no fee is believed due.

In Paragraph 1 of the Office Action, Claims 1-2, 4-26 and 28-48 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,539,232 to Hendrey, *et al.* (hereinafter Hendrey). Claims 3 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendrey.

Applicants have amended independent Claims 1, 10, 17, 20, 25, 34, 41 and 44 to emphasize certain additional aspects of Applicants' invention. The claim amendments are supported throughout the Specification and do not introduce new matter. (See, e.g., Specification, p. 11, line 1-15)

I. Applicants' Invention

It may be useful to reiterate certain aspects of Applicants' invention prior to addressing the references cited in the Office Action. Applicants' invention provides a method and system through which a user can identify other users having common contacts. In particular, the invention enables users of portable computing devices (PCDs) to communicate their identities to one another within a local area for the purpose of identifying common contacts. If common contacts exist between two or more users, each user having a common contact can be identified through an identifier, such as a visual identifier, that can be worn by participating users. The visual identifier can be common to each user having a common contact. The present invention can be used by multiple persons in a business or social context, to establish relationships with one another. A system which has been configured according to the present invention can be used to

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promote collaboration between parties by fostering trust when they discover one or more common contacts known and trusted by each party.

One aspect of the invention can include a method for common contact identification. The method can include receiving, in a first PCD corresponding to a first user, a local communication from a second PCD corresponding to a second user. The local communication can be a near-field intrabody communication. A near-field intrabody communication allows for the exchange of information through physical contact, such as a handshake. Notably, the physical contact between the first user and the second user serves as a communication medium for the exchange of information. In particular, the natural electrical conductivity of the human body is used to transmit electronic data. The near-field intrabody communication can identify the second user. Consequently, non-local wireless communication can be provided to a central receiving station from the first PCD identifying at least the first and the second user.

A non-local communication can be a communication to a location remote from the first and second PCDs using, for example, satellite or cellular communication technology. A data store, which can include contact information corresponding to the first user and the second user, can be accessed to determine whether the first user and the second user have at least one common contact. If at least one common contact is determined, at least one subsequent non-local wireless communication can be sent to the first and second PCDs. The communication can include an identifier common to the first and second users and can correspond to the at least one common contact. The identifier can be provided to a display unit.

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II. The Claims, As Amended, Define Over The Prior Art

As already noted, independent Claims 1, 10, 17, 20, 25, 34, 41, and 44 were rejected as being unpatentable over Hendrey. In response, Applicants respectfully assert that Hendrey does not teach nor suggest every feature recited in independent Claims 1, 10, 17, 20, 25, 34, 41, and 44, as amended.

Hendrey is expressly directed to automatically or selectively initiating communications among mobile users in a telecommunication system that has the ability to determine a geographic location of mobile units. A first mobile unit may be connected to a second mobile unit if the two units are within a predetermined distance of each other. A first user of the first mobile unit can be connected to a second user of the second mobile unit in accordance with a graph representing relationships among users. The location aware telecommunication infrastructure exploits location information to adapt services responsive to the location of mobile device users. For example, initiating a connection between two or more proximately located mobile telecommunications users based on a predefined criteria, such as matchmaking criteria. Identifying the position of the mobile devices is determined using location technology known in the art, such as global positioning systems (GPS), time difference of arrival (TOA), and angle of arrival (AOA), and other like systems and methods (Hendry, Col. 5, Line 25-30).

Accordingly, Hendry is directed to receiving communication from one mobile device upon the determination of a location of a mobile device relative to the location of other mobile devices. Communication data can be exchanged once the location of mobile devices has been identified. Moreover, the mobile devices can initiate a connection amongst one another based on a predefined criteria.

In contrast, Applicant's invention concerns a method and system for the exchange of identifying information through physical contact, such as a handshake. Hendry establishes communication between a first mobile device and a second mobile device

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when a location of the devices is determined. In Hendry, the mobile devices control the initiation of communication between devices. With Applicant's invention, by contrast, it is the users of the mobile device themselves who control the initiation of communication between devices, the initiation being effected through human physical contact (Specification, Pg. 11, Line 1-10).

It would not be obvious to one of ordinary skill in the art to associate the teachings of identifying a location of a device with identifying a user of a device through physical contact. Thus, a critical difference between Applicant's invention and Hendrey is that, whereas Hendry is directed to determining a location of a mobile device for initiating a communication, Applicant's invention is directed to exchanging identifying information through physical contact, such as a handshake. Applicant respectively emphasizes that in addition to not teaching or inherently possessing each aspect of the claimed invention, Hendry fails to contemplate the claimed invention, as can be discerned from the above remarks. In particular, Hendry does not contemplate using near-field intrabody communication for passing electronic data between electronic devices carried by human beings.

Accordingly, Hendrey does not teach nor suggest every feature recited in amended independent Claims 1, 10, 17, 20, 25, 34, 41, and 44. Applicants, therefore, respectfully submit that independent Claims 1, 10, 17, 20, 25, 34, 41, and 44, as amended, define over the prior art. Applicants further respectfully maintain that whereas each of the remaining dependent claims depends from one of the amended independent claims while reciting additional features, the dependent claims likewise define over the prior art.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the

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undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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